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Literary Notice.

A Visit to the United States in 1841. By Joseph Sturge. London, 1842.

Our readers are familiar with the fact of Mr. Sturge's recent visit to the United States, and are aware that it was mainly intended for the promotion of anti-slavery objects. It is only as connected with these objects that the interesting volume at the head of this article comes under our notice—general criticism on it we must leave to other hands. We may justly say that it constitutes a very pleasing and valuable addition to the anti-slavery literature of this country. It contains a considerable number of brief but effective sketches of the leading abolitionists of America, by which, as English readers, we are introduced to a measure of personal acquaintance with men—and women too—long well known to us in name, but in name only. Besides this, it opens to us a new chapter in the history of American abolitionism, by recording the names and deeds of men who constituted "the old school of abolitionists," or "the old anti-slavery societies, established about the period of the American revolution, of which the late Judge Jay, Benjamin Franklin, Dr. Rush, and other distinguished statesmen, were members, and which were composed mainly of the religious Society of Friends." Some of these were men of noble mould and extraordinary actions, of which, if we can find room, we shall give a specimen before we have done. We would extract, if our limits would allow, the interesting historical notice of abolitionism in the United States, from the pen of Mr. Whittier, pp. 11—13; we can however, only refer to it. Throughout the volume Mr. Sturge gives a simple, but always interesting account of his constant and persevering endeavours to promote the anti-slavery cause, and especially to engage in it the active co-operation of the Friends, an object in which some degree of usefulness evidently attended him. The facts which continually start up in his narrative in relation to slavery in the States, are of a most affecting character, and are the more touching from the unadorned simplicity with which they are told. The author's feelings seem no where to have been more strongly excited than at Washington, at which place he makes the following just and pointed remarks:—

> We were now in the district of Columbia, the seat of this powerful federal government, and in the city of Washington, the metropolis of the United States. Here are concentrated, as it were into one focus, the associations of the past, connected with the great struggle for independence, and the memory of those names and events which already belong to history. Whatever may be our political principles, or the opinions of those who, like myself, consider all resort to arms as forbidden under the christian dispensation, it is impossible to recall without emotion, transactions which have exerted, and will continue to exert, so marked an influence on the destinies of mankind. The city was not the scene of those events, but it was erected to be a perpetual monument of them, and in the limited district of ten miles square, in which it stands, the government which was then called into existence reigns sole and supreme. If a stranger were to inquire here for the monuments of the fathers of the revolution, the American would proudly point to the capitol with the national Congress in full session, and to the levee of the President, crowded by free citizens and representatives of foreign nations. The United States were thirteen dependent colonies; they are now twenty-six sovereign states, rich and populous, covering the face of this vast continent, and compacted into one powerful confederacy. But, notwithstanding the glowing emotions which seem naturally called forth by the locality, there is many an American who bitterly feels that the district of Columbia is the shame, rather than the glory of his country. Here is proclaimed to the whole world by the united voice of the American people, "We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain inalienable rights—that among these are life, liberty, and the pursuit of happiness;" and here also by a majority of the same people, expressing their deliberate will through their representatives, this declaration is trampled under foot, and turned into derision. The district of Columbia is the chief seat of the American slave-trade; commercial enterprize there has no other object!
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> Washington is one of the best supplied and most frequented slave-marts in the world. The adjoining, and once fertile and beautiful states of Virginia, Maryland, and North Carolina, are now blasted with sterility, and ever-encroaching desolation. The curse of the first murderer rests upon the planters, and the ground will no longer yield to them her strength. The impoverished proprietors find now their chief source of revenue in what one of themselves expressly termed, their "crop of human flesh." Hence the slave-holding region is now divided into the "slave-breeding," and "slave-consuming" states. From its locality, and from its importance as the centre of public affairs, the district of Columbia has become the focus of this dreadful traffic, which almost vies with the African slave-trade itself in extent and cruelty, besides possessing aggravations peculiarly its own. Its victims are marched to the south in chained coffles, overland in the face of day, and by vessels coastwise. Those who protest against these abominations are the abolitionists, a body whose opinions are so unpopular that no term of reproach is deemed vile enough for their desert, yet if these should hold their peace, the very stones would surely cry out—pp.

In addition to this passage, we have been on the point of marking for quotation, the estimate of the present state and prospects of the abolition cause in the United States, at p. 187, *et seq.*, but we must deny ourselves this gratification, in order to fulfil our promise of exemplifying the character and deeds of the abolitionists of the old school. One of the most remarkable of these was Elisha Tyson, a man of extraordinary sagacity, energy, and benevolence, who devoted himself to procuring the release of persons illegally held in slavery.

> "The labours of Mr. Tyson were not confined to a single district—they extended over the whole of Maryland. There is not a county in it which has not felt his influence, or a court of justice whose records do not bear proud testimonials of his triumphs over tyranny. Throwing out of calculation the many liberations indirectly resulting from his efforts, we speak more than barely within bounds, when we say, that he has been the means, under Providence, of rescuing at least two thousand human beings from the galling yoke of a slavery which, but for him, would have been perpetual."

Several very striking anecdotes are given of this man; but we must confine ourselves to one, and we select the following, with which we must conclude.

> "On one occasion Mr. Tyson received intelligence that three coloured persons, supposed to have been kidnapped, had been seen under suspicious circumstances, late in the evening, with a notorious slave-trader, in a carriage, which was then moving rapidly towards a quarter of the precincts of Baltimore in which there was a den of man-hunters. It was late in the day when he received the information, which was immediately communicated to the proper authorities. As the testimony offered to these was not, in their opinions, sufficiently strong to induce them to act instantaneously, Mr. Tyson was obliged to seek for aid in other quarters. He accordingly requested certain individuals, who had sometimes lent him their assistance to accompany him to the scene of suspicion, in order to obtain, if possible, additional proof. One after another made excuse—(some telling him that the evidence was too weak to justify any effort—and others saying that it would be better to postpone the business for the next morning)—until Mr. Tyson saw himself without the hope of foreign assistance. But he did not yield or despair—one hope yet remained, and that rested on himself. Alone he determined to search out the den of thieves—to see and judge for himself. If there was no foundation for his suspicions, to dismiss them—if they were true, to call in the aid of the civil power, for the punishment of guilt, and the rescue of innocence.
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> "So much time had been spent in receiving the excuses of his friends, that it was late at night when he set out, on foot, and without a single

weapon of defence, in the midst of silence and darkness, he marched along until he arrived at the place of destination. It was situated in the very skirts of the city, a public tavern in appearance, but almost exclusively appropriated to a band of slave-traders. Here they conveyed their prey, whether stolen or purchased; here they held their midnight orgies, and revelled in the midst of misery. The keeper of this place was himself one of the party, and therefore not very scrupulous about the sort of victims his companions chose to place beneath his care. Mr. Tyson ascended the door-sill, and for a moment listened, if perchance he might hear the sounds of woe. Suddenly a loud laugh broke upon his ears, which was soon lost in a chorus of laughter. Indignant at the sound, he reached forth his hand, and rapped with his whole might. No answer was received. He rapped again: all was silence. He then applied himself to the fastening of the door, and finding it unlocked, opened it and entered. Suddenly four men made their appearance. They had been carousing around a table which stood in the centre of a room, when, a little alarmed by the rapping at the door, they had gone in different directions to seize their weapons. Mr. Tyson immediately recognized in the countenance of one of these, who appeared to be their leader, the slave-trader whose conduct had given rise to the suspicions that had brought him thither. Nor was it many moments before the person and character of Mr. Tyson became known.

"'I understand,' said he, 'that there are persons confined in this place entitled to their freedom.'

"'You have been wrongly informed,' said the leader of the quartetto, 'and, besides, what business is it of yours?'

"'Whether I am wrongly informed,' said Mr. Tyson, calmly, 'can be soon made appear; and I hold it my business, as it is the business of every good man in the community, to see that all doubts of this kind are settled!'

"'You shall advance no further,' rejoined the leader, swearing a tremendous oath, and putting himself in a menacing attitude.

"With the rapidity of lightning, and with a strength that seemed to have been lent him for the occasion, Mr. Tyson broke through the arms of his opponent. As he had been repeatedly at this house on similar errands, he knew the course he should steer, and made directly for the door of the dungeon. There he met another of the band, with a candle in one hand, and in the other a pistol, which, having cocked, he presented full against the breast of Mr. Tyson, swearing that he would shoot him if he advanced a step further.

"'Shoot if thee dare,' said Mr. Tyson, in a voice of thunder; 'but thee dare not, coward as thou art, for well does thee know that the gallows would be thy portion.'

"Whether it was the voice and countenance of Mr. Tyson, or the terror of the word gallows that affected the miscreant, his arm suddenly fell, and he stood as if struck dumb with amazement. Mr. Tyson taking advantage of the moment, in the twinkling of an eye snatched the candle from the hand of the kidnapper, entered the dungeon door, which was providentially unlocked, and descended into the vault below.

"There he beheld a dismal sight, six poor creatures chained to each other by links connected with the prison wall! The prisoners shrunk within themselves at the sight of a man, and one of them uttered a shriek of terror, mistaking the character of their visitor. He told them that he was their friend; and his name was Elisha Tyson. That name was enough for them, for their whole race had been long taught to utter it. He inquired, 'if any of them were entitled to their freedom?' 'Yes,' said one, 'these two boys say that they and their mother here are free, but she can't speak to you, for she is gagged.' Mr. Tyson approached this woman, and found that she was really deprived of her utterance. He instantly cut away the band that held in the gag, and thus gave speech to the dumb. She told her tale. She was manumitted by a gentleman on the eastern shore of Maryland, her sons were born after her emancipation, and of course free. She referred to persons and papers. She had come over the Chesapeake in a packet, for the purpose of getting employment; and was, with her children, decoyed away on her arrival by a person who brought her to that house. Mr. Tyson told her to be of good comfort, for he would immediately provide the means of her rescue. He then left the dungeon, and ascended the stair way; when he reached the scene of his preceding contest, he looked around, but saw no one save the keeper of the tavern.' Fearing that the others had escaped or were about to escape, he hastened out of the house, and proceeded with rapid strides in pursuit of a constable. He soon found one, and entreated his assistance. But the officer refused, unless Mr. Tyson would give him a bond of indemnity against all loss which he might suffer by his interference. Mr. Tyson complied without hesitation. The officer, after summoning assistance, proceeded with Mr. Tyson to the scene of cruelty. There meeting with the tavern keeper, they compelled him to unlock the fetters of the three individuals claiming their freedom. They then searched the house for the supposed kidnappers, and found two of them in bed, whom, together with the woman and children, they conveyed that night to the gaol of Baltimore county, to await the decision of a court of justice. The final consequence was, the mother and children were adjudged free. One of the two slave-traders taken as aforementioned into custody, was found guilty of having kidnapped them, and was sentenced to the Maryland penitentiary for a term of years."

CUBAN SLAVE-TRADE.

FROM a document furnished to us from an authentic and well informed source, we collect the following view of the extent of the slave-trade as now carried on in Cuba, and of the influences by which it is maintained.

The ablest and strongest portion of the Spanish mercantile marine is engaged in this trade. From the various parts of the island of Cuba, and from some parts of Spain itself, more especially from Cadiz and Barcelona, from one hundred to one hundred and fifty vessels are annually dispatched to the coast of Africa. On the average about forty enter the port of Havana, twenty arrive at Matanzas, and about forty between Trinidad and Santiago-de-Cuba. They measure from seventy to five hundred tons each, and carry from two hundred to eight hundred negros in the confined space (or 'tween-decks) prepared for the purpose. In the course of the middle passage there perish on the average twenty per cent. of the cargo; a loss, however, which is of small pecuniary consideration, since the profit on a shipment of 500 negros landed in the island may be estimated at from 120,000 to 130,000 dollars (£24,000 to £26,000 sterling) at the least. The original cost is not more than 35,000 or 40,000 dollars. In Africa the captains or factors pay from fifty to sixty dollars a-head for the negros, according to the place where the purchase is made, and the state of the market at the time; whereas in Havana they are sold in the barracoons at from 340 to 360 dollars: and although the sale is on a credit of six or twelve months, yet interest on that interval is always charged, at the rate of from nine to twelve per cent. per annum. To the incentive produced by this exorbitant rate of profit there is no counterpoise whatever in the minds of the speculators, except the apprehension of capture by British cruizers; and from this there is the greatest probability of escape, on account of the superior sailing qualities of the slavers, which are built expressly for the purpose, for the most part at Baltimore, in the United States, but sometimes also at Regla and Casablanca, in the bay of Havana. These chances are increased by the skill of the captains, and their practical knowledge of the haunts and hiding places throughout the vast extent of the southern coasts of Africa, and the not less extensive shores of the island of Cuba, by which they are enabled to elude the vigilance of the English. To all this must be added the facilities afforded for the landing of their victims immediately on their arrival, on the part of the subaltern authorities of the island, and the sympathy on which they reckon from the greater part of the population. The actual traffickers, moreover, have nothing to fear, in the nature of punishment, from their infraction of the prohibitory articles of the treaty of 1817, or of the convention of 1835; because the Spanish government, although by the last of these two treaties it promises the enactment of a penal law against those who should engage in the slave-trade, has never even prepared such a law. Under any point of view, it appears that there is no better way of making a fortune rapidly in the island of Cuba at the present moment, than engaging in the slave-trade. This is proved by the fact, that men who were occupied the other day as paltry shopkeepers, selling goods by retail, have suddenly been converted by such speculations into persons of large capital. It may safely be affirmed, that most of the Spanish merchants, and many of the foreigners, are now deeply engaged in these undertakings. The slave-traders give themselves very little trouble about what is passing elsewhere; or, if they chance to hear any thing of the intellectual movement of the age in Europe, they are unable to form an idea of its character and tendency. For the most part they have nothing in the island to lose; or, if they have, they think to secure themselves by sharing their iniquitous gains with the captains-general, and by thus purchasing the sympathies of the Spanish cabinet, by whom they are regarded as the firmest supporters of metropolitan domination.

The captains-general are selected by the Spanish ministers exclusively from the long but insignificant list of generals in the army, who have distinguished themselves more or less in their military career. Always destitute of any patrimony of their own with which to maintain themselves, or of any practical or theoretical administrative knowledge, as well as of fixed or safe principles of morality—a defect which extends to the great majority of Spaniards in both hemispheres—these men arrive in the island of Cuba without any of the qualifications by which they ought to be distinguished. Scarcely has the chief taken possession of his government, when there arrives a cargo of negros from Africa, on which he receives a bag of 200 or 300 ounces of gold, as the amount of the voluntary contribution presented by the slave-dealers. After the first there arrives another, and another; and thus the system becomes a continual and abundant source of wealth. The unexpected accumulation of so much gold is sufficient to dazzle and seduce the loose-principled soldier, who contemplates, perhaps for the first time in his life, such an amount of money. He forgets at once his military honour and the ancient Castilian purity; all is postponed to the villanous lust of gold. And the haughty Spanish general—the knight of Santiago or Calatrava, the grand cross of Isabella the catholic, or Charles III.—is speedily transformed into the wretched creature who has sold himself to a set of smugglers and pirates.

The captains-general not only permit and wink at the slave-trade, which, in the island of Cuba, is any thing but clandestine; but they protect and promote it more zealously than any other branch of legal commerce. It enjoys a thousand privileges and immunities. The observance of the maritime regulations by which the ports of Spain are governed, in regard to the equipment and sailing, the entry and discharge, of all sorts of vessels—even the severe and important laws on the subject of the public health, are, for the purposes of this traffic, evaded with impunity, in spite of the reports of the medical and other officers. It recently happened that the slaver-brig *Tres de Febreiro*, having just entered the harbour, after discharging her cargo at one of the ports close to Havana which are not licensed for foreign commerce, the health-officer on making the usual visit of inspection, found no one on board but the pilot, the captain and seamen having all previously gone on shore. Notice of this infraction of the sanatory laws was given to his Excellency, and to the admiral commanding on the station; but all that was done by General Valdez on this occasion, was to send a verbal message by the secretary to government to the captain of the port, desiring him to hush up the whole affair, as by that course, for high rea-

sons of state, her Majesty's service would be promoted. If any other person but a slave-trader, however honoured or distinguished, had committed such a fault, he would have been condemned to pay a fine, and would probably have been committed to prison.

Since 1834, the richer class of slave-dealers have strenuously combined with the captains-general, and have exercised a very powerful influence on the minds of the authorities of all classes in Havana.

The supreme government of Spain is perfectly aware of the criminal conduct of the captains-general of Cuba, and, instead of subjecting them, either to punishment or to inquiry, exculpates them and covers them with its protection. The free periodical press is silent, or incidentally touches these excesses with a light and sparing hand—that same press which attacks so furiously, when it thinks fit, the slightest foibles.

DISTURBED STATE OF BRITISH GUIANA.

By a copy of the Guiana *Gazette* of the 6th of January, we learn that the late meeting of planters and attornies at Demerara has produced its natural result, in a very serious and extensive derangement of the system of labour. It will be recollected that district committees were to be formed, to carry into effect the recommendations of the meeting. Our contemporary thus proceeds :—

These district committees were subsequently formed in different parts of the colony; and it would appear that they drew up, and caused to be printed, certain "rules and regulations" to be enforced in their respective districts. Of these rules and regulations there are several different sets; some more stringent upon the labourers than others, but all including an abolition of all allowances, a reduction of wages to the tariff of 1834, and fines upon occupants of cottages who do not perform a regular daily task upon the estates. Some of these rules and regulations included additional provisions: that the labourers should commence work by a certain hour, or otherwise not be entitled to be paid for what they did—that they should be paid for nothing less than a full task—that if they declined to perform any particular species of work which might be ordered, they should be considered as absent without leave, notwithstanding they might have done some other kind of work, and should not only be entitled to no pay for what they did, but should be subject to a fine for absence—that the labourers should be entitled to no provision grounds, and that if they cultivated any provisions upon the estate, upon leaving or being discharged, they should not be entitled either to take away or claim payment for those provisions; and further, that every labourer should be required to contribute the wages of one day's labour monthly to the support of the medical and hospital establishment of the estate, such sum to be deducted at each payment made to him. There were also, we believe, in some cases, rules restricting the right of the labourers to keep hogs and other stock. All the sets of rules and regulations which we have seen wound up with a provision, by which all persons who continued to reside on the estate for forty-eight hours after six, A. M., in the morning of the 1st of January, 1842, and to whom the regulations should be explained, "were declared to be subject to and governed by the same.

We have not been able to learn that any particular pains were taken to sound or consult the labourers or head men as to these proposed serious changes. It would appear from the representations of the labourers made to the governor, that, on many estates at least, the first distinct notice which they had of the new rules and regulations was seeing a printed copy of them stuck up about the plantation buildings, to which was conjoined an intimation that these regulations were "the law" which must be observed. The labourers, not a little alarmed at these sweeping changes, made without any notice to or consultation with them, declined to work upon this new system, and sent deputies from all parts of the colony to inquire of the governor what sort of law these new regulations were—"queen's law," "governor's law," or "planter's law—" and how far they were under a legal obligation to obey?

In the mean time, however, the governor, having received from some of the stipendiary magistrates copies of some of the sets of "rules and regulations," submitted them to the attorney and solicitor-general for their opinions, who both replied, that the clause by which it was attempted to turn a continuance on the estate for forty-eight hours after the first of January into a consent to be bound by the new rules, was wholly nugatory; and who also expressed an opinion that some, if not all the other clauses, being apparently designed to divest the stipendiary magistrates of that jurisdiction over contracts between labourers and their employers entrusted to them by orders in council, were, so far at least as they attempted to create a contract between the employer and labourer, null and unavailing in law, and even with the consent of the labourers could not operate to create any binding contract.

To the numerous deputations of labourers who waited upon him from all parts of the colony, the governor represented that, owing to the fall in the price of sugar, the planters did not feel able to pay such high wages as they had hitherto done; that, however, the labourers were under no legal obligation to submit to the new rules, which were neither "queen's law" nor "governor's law," but that they had a right to exercise their own judgment in making such a bargain with their employers as might be satisfactory to both parties. We are informed that the labourers did not seem to object so much to the reduction of wages, as they did to the way in which it was attempted to be brought about. Some of them said that, if their masters had consulted them about the matter, they might have consented to an alteration in the wages, and, perhaps, to some other of the rules; but they objected with great emphasis to the imposition of these rules upon them by the mere authority of their employers, some of which they complained of as being vexatious and oppressive, particularly those in relation to provision-grounds.

Captain Allen, stipendiary magistrate, in a letter to the governor, states, that at a meeting of planters held at Capoey Barracks, in relation to the new rules and regulations, it was moved by Mr. Bishop, that if any labourer should complain of his employer to any stipendiary magistrate, his name should be sent up to Georgetown to be published in the newspapers, to the end that he might be marked, and might be excluded altogether from employment. This motion was seconded, but the good sense of the meeting prevented it from passing.

The governor received a letter from Messrs. Curtis A. Fleming and Alexander Grant, two justices of the peace, stating that plantation *Blankenburg* was in an alarming state. It appeared from this letter, that the manager, with the design of enforcing the new regulations, had forbidden the people to go upon their provision-grounds, which produced some excitement among them, and caused the manager to send for these two justices, one of whom, it would appear, thought himself in some danger of being roughly handled; but the people notwithstanding, being remonstrated with, remained quiet. The governor replied, that, in a case like this he would have thought it much more judicious that a stipendiary magistrate should have been sent for, instead of two justices who were themselves parties to the obnoxious regulations; that he did not perceive from the statement of the justices that the peace was very greatly in danger; that, however, he would direct a stipendiary magistrate to inquire into the matter, and would himself take all steps that might prove to be necessary for the preservation of the peace.

The labourers had procured to be printed a notice, calling a meeting of labourers at plantation *Better Verwagting* (of which some of them are proprietors), to consult upon the present condition of affairs. Some of the labourers brought one of these notices to the governor, and inquired of him whether, as the planters had had their meetings on the subject, they had not a right to meet too. The governor did not deny their right; but he represented that the planters had not called together a large assembly in the open air, but had met quietly in a house; that in a large assembly, though no such thing might be intended, disorder and confusion might be apt to arise; and that, in his opinion, they would do better not to hold the proposed meeting. The people thanked him for his advice, and promised to follow it.

Upon a few scattering plantations, where no attempt had been made to introduce the new rules and regulations, the people are working as usual; but throughout the greater part of Demerara and Essequibo no work has been done since the 1st of January.

In the midst of all this disturbance, Sir Michael M'Turk has had the good sense to keep his estates quiet and full-handed, by coming to an understanding with the labourers as to a fall of wages. The *Gazette* contains some excellent observations in answer to the question, what is to be done; but we cannot extend our quotations from it to-day. The *Guiana Times* raves out, No surrender! The *Gazette* more sagaciously recommends that, "as the first step towards a reconciliation, the obnoxious rules and regulations be committed to the flames without mercy." The infatuation of these planters and attornies is almost incredible. Absentee proprietors should look to the havoc which these gentlemen are making of their interests.

THE CREOLE: MEMORIAL TO LORD ABERDEEN.

The following memorial was presented to the Right Honorable the Earl of Aberdeen, Her Majesty's principal Secretary of State for Foreign Affairs, &c., &c., by the Committee of the British and Foreign Anti-Slavery Society, on Saturday, 12th February, 1842.

My Lord,—However much the Committee of the British and Foreign Anti-Slavery Society may regret the existence of any causes of irritation between the governments of Great Britain and the United States, arising out of the existence of slavery in the latter country, and of the slave-trade on the coast of Africa: they cannot but rejoice, that in the eyes of enlightened humanity and of christian philanthropy, the cause of human freedom, civilization and happiness, is earnestly sought to be promoted by the former; and that a large body of the citizens of the United States, in common with the people of England, are uniting their best efforts for the removal of those causes of irritation, by the universal extinction of the evils, to which, unhappily, they owe their birth.

The case of the *Creole*, like that of the *Amistad*, is exciting not only the profound attention of public men, but stirring the deep sympathies of the public mind on both sides the Atlantic. In common with the friends of humanity at large, the Committee feel the deepest solicitude as to the ultimate fate of the negros now in the custody of Her Majesty's authorities at the Bahamas for the part they are reported to have taken in the affair of the *Creole*. That solicitude induces them to lay before your lordship, conclusions to which they have arrived after a careful review of this deeply interesting and important case, and which they venture respectfully to submit to the consideration of her Majesty's government.

There are two versions of the *Creole* affair, one derived from the protest of certain persons who formed part of the crew of that vessel, made before a notary at New Orleans; and the other, founded on private information from Bahamas. From the first, it appears that the *Creole* left Hampton Roads in the state of Virginia, on the 30th of October last, "laded with manufactured tobacco in boxes, and slaves,"—for New Orleans; that whilst on the voyage, a part of them, nineteen in number "rose on the officers, crew and passengers, killed one passenger, severely wounded the captain and a part of the crew, and compelled the first mate to navigate said vessel to Nassau, New Providence." It appears also from the same protest, that after they had accomplished their object, they were guilty of no excesses; but treated all the whites on board with great humanity, dressing the wounds of those that were injured, supplying them with their usual food, and only keeping them apart and under such restraints as were necessary to secure their safe arrival at a British port; and to use their own simple but emphatic language, "all that they had done was for their freedom." On their arrival at Nassau, they were charged with mutiny and murder, and placed under the custody of the autho-

rities of the island, until the government shall decide whether they shall be tried there or elsewhere for the alleged crimes.

From the latter account, it appears, that the negros having discovered their proximity to a British island, demanded to be landed there; that this was resisted by the captain, passengers and crew; that thereupon a struggle for the mastery commenced which terminated in the triumph of the negros, and the loss of two lives, one a passenger on board the *Creole*, who had the care of a portion of the slaves, and one of the negros who died of the injuries he received on his arrival at Nassau, where those implicated in the rising, were given into custody, and the remainder of the slaves allowed to go free.

Which ever of these accounts be the true one, or whatever may have been the means by which the negros achieved their liberty, the Committee presume it cannot alter the decision of Her Majesty's government in the case. They are persuaded that, under the circumstances which took place, neither the charge of mutiny or murder can be sustained in a British court of justice. If these offences have been committed, they have been committed against American citizens, on board an American vessel, and can only be dealt with in American courts. The negros of the *Creole* were forcibly placed on board that vessel as slaves—they were forcibly detained on board as slaves—they were detained for the New Orleans market as slaves. This they knew, and to avoid the horrors and degradation of the condition that awaited them, as well as to relieve themselves from the bondage in which they were held, they rose upon those to whose custody they had been committed, asserted their natural rights, and, after a short but severe struggle, secured their freedom. That homicide was committed during the affray is justly to be deplored and deprecated—but, that homicide is to be traced to the resistance made by those who endeavoured by force of arms to retain them in slavery, not to a spirit of vengeance on the part of the negros. They sought not life, but liberty; and, that obtained, their subsequent conduct, must be regarded as an admirable specimen of forbearance, self-government, and humanity. In confirmation of the views of the Committee, they refer to the decisions of the United States courts, in the case of the Mendians found on board the *Amistad*, in which it was held that the alleged offence of murder, with which they stood charged, having been committed on board a *foreign* ship, was without their jurisdiction, and such they have full confidence will be the decision of the British courts also.

The only question which remains to be noticed, is, whether the United States have a right to claim these negros, either as slaves or as felons. The Committee conceive the first point as finally settled by the British government: they cannot and will not be delivered up as slaves; and with respect to the other point, they conceive it is equally clear, that these negros cannot be delivered up, merely because they have been charged with a capital crime, by some American citizens. They are not felons by the laws of England, nor by the laws of nations; but even if they were so, the United States have no authority, under treaty with Great Britain, to require them to be delivered over to the vengeance of their laws; and the uniform custom of that country runs counter to such a demand. They will not deliver up criminals to the demands of this country, whatever the offence may be with which they stand charged.

The Committee feel themselves, therefore, at liberty to consider the negros, recently taken from on board the *Creole*, and now in the custody of her Majesty's officers in Bahamas, to be safe; and they have respectfully, yet earnestly to request, in their behalf, that Her Majesty's government will be pleased to afford them such protection, as their circumstances may require.

On behalf of the Committee,
JOSEPH STURGE, Chairman.

British and Foreign Anti-Slavery Society,
27, New Broad Street,
7th February, 1842.

TO CORRESPONDENTS.

The Committee have been sorry to learn that some of their friends in the country have not been able conveniently or regularly to procure the *Anti-Slavery Reporter*. They beg, therefore, to say, that, if, in cases of difficulty, information be sent to the Anti-slavery office, their best endeavours shall be used to supply a remedy.

Subscriptions and Donations to the British and Foreign Anti-Slavery Society may be forwarded to the Treasurer (G. W. Alexander, Esq.) at the Society's Office, 27, New Broad Street London.

Communications for the Editor of the *Anti Slavery Reporter* also should be sent to the Office of the Society, as aboye.

Anti-Slavery Reporter.

LONDON, FEBRUARY 23RD.

ON Saturday, the 12th instant, a deputation of the Anti-slavery Committee waited on the Earl of Aberdeen at the Foreign Office. The deputation consisted of the following gentlemen—Messrs. William Allen, Joseph Sturge, John Scoble, rev. J. H. Hinton, Messrs. John Beaumont, Henry Tuckett, Benjamin Wiffen, and John Dunlop of Edinburgh, and was very courteously received. Their object was to present to the Foreign Secretary a memorial in relation to the eighteen persons of colour detained in custody at Nassau, New Providence, in consequence of proceedings on board the *Creole*. After the memorial had been read to his lordship, he freely expressed sentiments on the case, leading to the hope that a measure would be adopted by the British government, such as has since been announced in the House of Lords—an order for their immediate liberation. Before the interview terminated, some other matters of considerable importance were submitted to the noble secretary, who promised his best attention to them.

MADISON WASHINGTON and his companions are safe. The Earl of Aberdeen made the gratifying announcement in the House of Lords on the 14th instant, that orders had been sent by the colonial secretary for their release. By our report of the proceedings on that occasion, it will be seen that all the law-lords were concurrent in their judgment of the case. This unanimity of opinion will give firm support to the prompt and honourable proceeding of the government, and tend to satisfy the American slave-holders that nothing could have been gained by any amount or continuance of clamour on this subject. We do not believe that any hesitation would have been felt by a British minister had the question been one of merely British policy; but, happily, the eighteen are protected by the impregnable bulwark of British LAW. The whole of the proceedings in parliament will be read with interest; but we commend attention particularly to the speech of Lord Denman, which embodies some general principles of great importance.

BEFORE our next number shall issue from the press, the important meeting of abolitionists in Paris of which we have repeatedly spoken, will have been held. We are happy to learn that, in addition to those we mentioned in our last, several of the provincial anti-slavery associations have appointed deputies to attend on their behalf, and we hope the number will be yet further increased. We have received information that the meeting will be under the presidency of that distinguished peer and philanthropist, the duke of Broglie; and we cannot err in anticipating that such a meeting in the metropolis of France must give a powerful impulse to the cause of emancipation.

WE are glad to find that some of the Dutch newspapers, which a short time since contained heavy charges against the *Anti-Slavery Reporter*, on account of the article headed *Dutch Slave-Trade* copied from the *Morning Herald*, have done us the justice of inserting a portion or the whole of our reply to these charges. Among the papers which have thus afforded us an opportunity of vindicating ourselves to their readers, we have much pleasure in naming the *Staats Courant*, and the *Journal de la Haye*. We have no wish to prolong a discussion of this subject, because we have already sufficiently explained our sentiments on the purchase of African slaves to be employed as soldiers; and especially, because we have the assurance that this practice, which must inevitably be attended with deplorable consequences, is to be entirely discontinued.

We may however observe, in reply to some observations contained in a late number of the *Staats Courant*, that the small value of slaves in Africa, except for exportation, and the well known ferocious character of the people of Ashantee, irrespective of evidence to the contrary, are too well calculated to induce belief in an allegation that the slaves who were provided for the Dutch authorities at Elmina and rejected, were put to death. The probability of such an event is further greatly increased by the knowledge that such a mode of disposing of slaves for whom a purchaser is not found, is common among the monsters who deal in human flesh in Africa.

We are, however, willing to believe, that the Dutch functionaries, about twenty in number, who have been parties to these transactions between the slave-traders in Ashantee and the Dutch government, know nothing of such atrocities having taken place; and that the wretched bondsmen who may have been made such in the hope of disposing of them at Elmina for soldiers, are simply returned to their owners, to spend the rest of their days in a hopeless servitude. We can truly say that we have reluctantly returned to this painful subject, on which it is a great satisfaction to us to believe that we shall not have occasion again to advert. We must not however omit to remark, that the writer of the letter to the *Herald* which we copied, and of another letter which we have not copied in our pages, is incorrect in quoting the authority of our friends Messrs. Gurney and Alexander, in support of the alleged fact of the putting to death of the slaves rejected by the Dutch government.

In conclusion, we may express our cordial satisfaction in finding that the press and people of Holland feel a lively interest in circumstances which affect the character and honour of the Dutch people. We hope and believe that, if it be thought a serious affront to be now implicated in the guilt and horrors inseparable from the slave-trade, it will not be deemed otherwise than dishonourable to permit the continuance of a system based upon these atrocities, and which cannot exist without leading, in numberless instances, to acts of intolerable oppression and cruelty. It is to us a source of the most lively satisfaction to know, that these are the sentiments of a large number of influential persons in Holland, and that the number of those who thus think is greatly increasing in that country. There is no part of Europe to which we turn with feelings of more lively hope and satisfaction in reference to the abolition of slavery than to Holland, short as has been the period in which an anti-slavery organization has

there existed. It is indeed cheering to see good men in some of the most enlightened countries in the world—among which France, the United States of America, and Holland occupy a distinguished place contending in the race of abolition. It will be no small honour to that country, among them, which shall first attain the glorious goal at which they aim. We trust that they will, however, reach it very nearly together; and that the period when this blessed event shall occur is much nearer than is supposed by many of those by whom it is ardently desired, or the few by whom it is basely feared.

We see with concern that the Christmas holidays have not passed over without a fatal disturbance at Kingston, Jamaica. It appears that the mayor, Mr. Hector Mitchell, had announced his intention of suppressing on this occasion all *noisy* amusements. Notwithstanding this announcement, a body of blacks, who had assembled on the Parade on the evening of the 27th of December, commenced "drumming and fifing," and, on the interference of the police with this harmless process, they betook themselves to the use of such missiles as were at hand. It is stated further, that the mayor and other magistrates, on resorting to the spot, were assaulted; and that, after the reading of the riot act, the military were called out, and the policemen supplied with ammunition. These deadly preparations were but too soon followed with fatal results. On a single discharge of musketry, no less a number than twenty-two persons fell wounded, in a crowd, gathered together for christmas amusement, victims to the crime of using a drum and a fife on the Parade at Kingston! Two of these persons were killed, and several more very dangerously wounded. The people dispersed about midnight, and the militia were subsequently called out for the protection of the town. On the following evening (Tuesday), the blacks are stated to have made an attack on the police, and to have also assaulted the mayor, who took refuge from the effects of his interference on board a vessel in the harbour. The city was subsequently placed under the command of Sir William Gomm, the highest military officer, and the governor issued a proclamation calling on the well-disposed to assist the magistracy. Partial mobs continued to occur, and two attempts had been made to set Kingston on fire. Business was at a stand, and serious results were still anticipated at the date of the latest papers. Such are substantially the statements of the *Falmouth Post*. By the next arrivals we shall learn the sequel, and have better means of forming an opinion of the affair, into which, of course, there will be an official inquiry. To us, we confess, the use of a drum and a fife on a public holiday appears a venial offence: but, at whatever amount it may be estimated, it has been fearfully expiated by the blood which has been shed at the call of Mr. Hector Mitchell. If it shall turn out that there has been a wanton use of magisterial power, or misconduct on the part of the police, we trust no attempt will be made to screen the guilty parties.

The evidence taken by the council in Jamaica on the subject of the recent immigration scheme is of the most melancholy character, and not only bears out the strongest things which have been said against it, but constrains reproof even from the *Despatch* itself. The whole number imported under the late act is stated to have been 1417; and the cost £25,578 17*s.* 2*d.*! The following are the remarks of the *Falmouth Post*:—

> A great deal of excitement seems to prevail, in consequence of the publication of that portion of the evidence already taken before their honours of the council, respecting the far-famed immigration scheme; and there are not wanting certain advocates, desirous of lending their talents and influence for the purpose of securing to their immediate friends, the power of sacking the public treasury—of entailing heavy and burthensome taxes on the people, in order that they may reap the only advantages attendant upon the introduction of Europeans into Jamaica, as manufacturers of our staple produce. Manufacturers of our staple produce, indeed! Heaven save the mark! Mr. Barclay and Dr. Ewart may declaim as much as they like—let them publish hundreds upon hundreds of pamphlets—they may endeavour by all the means in their power—by all the eloquence at their command—and by all the interest they possess, to bolster up a rotten and infamous fraud upon the public—but that public, whose means have been so wantonly and shamefully squandered, are now wide-awake, and are determined to listen no longer to the 'voices of the charmers, charm they never so wisely.' Experience has taught the sad lesson, that, while thousands and tens of thousands of pounds have been expended,—notwithstanding the arrival on our shores of so many cargoes of human victims—of wretched fellow-creatures, deceived by villanous agents in England—all their fond-fed hopes have been cruelly disappointed: they have had to submit to privations and hardships of no ordinary character, until, at last, nature exhausted with accumulated woes and deep distress has sunk, because it could endure no longer. Let the agent-general, with Mr. Commissioner Barclay, be called upon to declare upon their oaths the benefit that Jamaica has derived from the act in question. Will they venture to swear that it has answered any good purpose? Have the planters found the scheme a profitable one? How many hogsheads of sugar have been made by European, American, or African immigrants? What example have they been to the native labourers of the country?
>
> It is true, that, in a few short years, a vast number have come amongst us—and where are they? 'Echo answers—where?' A large proportion of them, who had neither constitution nor strength of mind to bear up against the ills with which they had to contend, have died broken-hearted—far from their homes, their friends, and those endearing ties which bind man to society; others wander about from one end of the country to the other as drunkards and prostitutes; while not a few, with their infant children, beg about the streets of our towns, and are continually appealing to the charity of the wealthy and philanthropic, to assist them in getting to some other land, in the hope that they may eventually be enabled to overcome the inroad which disappointment and the diseases of a foreign clime have made upon the consitutions of themselves and families. And then there is one grand argument which must not be lost sight of. The failure of immigration is a weapon of considerable strength in the hands of those who hate with a deep-rooted hatred every individual who had anything to do with slavery. It is a weapon which strikes with terrific force on the life-springs of West India society, and it is readily believed in England, Ireland, and Scotland, that the former owners of human flesh are ready and willing to perpetrate any *scheme*, that has for its object the tyrannic oppresion of their fellow-creatures, be they white or black.

Our intelligence from British Guiana is highly important, but of painful interest. It is stated in the *Guiana Gazette*, that the reduction of wages in Trinidad has given great dissatisfaction to the recent emigrants from Sierra Leone to that island; and that Lord Stanley has sent out orders to the governor of Trinidad, to require that they shall be paid according to the contract originally made with them. It is added that many had implored the governor to send them back to Sierra Leone.

A slight notice has been taken in the House of Commons of the measures which have been adopted by the present government for re-opening the emigration from India to Mauritius. On the 4th instant,

> Mr. Vernon Smith said, in the *Gazette* a few days since appeared an order in council respecting the immigration of Hill Coolies into the Mauritius. Hon. members would recollect that, in 1840, his noble friend (Lord J. Russell) proposed for the consideration of the house a measure of a similar nature, which was negatived. What he wished to know from the noble lord was, whether that order in council was issued on any further information than was possessed at the close of the last session; and, if so, whether he was prepared to lay that information, together with the order in council, before the house, and to afford hon. members an opportunity of discussing the question.
>
> Lord Stanley replied. With respect to the question which had been put to him by the hon. gentleman opposite (Mr. V. Smith) relative to the order in council which had recently appeared in the *Gazette*—after full consideration her Majesty's government did not think it expedient or proper any longer to continue the absolute prohibition to emigration of the Hill Coolies from the East Indies to the Mauritius. That prohibition had been greatly complained of, but it appeared that no step could be taken upon this subject without the concurrent action of three bodies; first, by an order in council—secondly, by a vote of money by the Mauritius—and thirdly, by the intervention of the governor-general of India in council, who was charged with imposing the restrictions. No laws more stringent could be imposed than those which had already been found effectual, and which had been introduced by the noble lord the late secretary of the colonies, with respect to emigration from Sierra Leone to their West India possessions. He (Lord Stanley) would be ready to lay before the house the order in council, and the despatches which had been received from Sir Lionel Smith upon the subject.

The papers referred to by Lord Stanley we have not yet been able fully to examine; but we much fear that his lordship is commencing another experiment of painful and melancholy issue. We must shortly resume the subject.

An interesting conversation has taken place in the same House in relation to the British West Indies, on occasion of some questions put to Lord Stanley by Mr. G. Berkeley. His lordship's reply will be found at length elsewhere. His recommendation to absentee proprietors to make frequent visits to their estates, and to facilitate "the transfer of trade from the hands of agents to those of resident tenants," is worthy of the most serious consideration of the parties to whom it is addressed. As to the statement made by a large body of planters, in Demerara and Berbice of the cost of manufacturing sugar, we hope his lordship will not be too credulous, but that he will subject every such representation to a searching scrutiny. The false registers which, as Mr. G. Berkeley says, so easily defraud non-resident proprietors, may be employed to deceive ministers of state. On the subject of emigration from Africa Lord Stanley speaks with caution; but we are sorry to see that he even hints at the possibility of extending the system which has been adopted at Sierra Leone to the Gambia.

The American papers present an unusual quantity of interesting topics; but a press of matter prevents us from giving so extended a summary as we could wish. In one form or other the *vexata questio* of slavery is, in spite of all efforts to prevent it, forcing itself continually before the two houses of Congress. In the senate, Mr. Calhoun has brought forward a motion for papers on the case of the *Creole*, which was unanimously carried, but can now lead to no result. In the house of representatives, Mr. Adams has been producing consternation by presenting a petition from some of his constituents in Massachusetts for the repeal of the union. Hereupon Mr. Clark proposed a vote of censure on Mr. Adams; and Mr. Marshall comes forward with amendment overflowing with pro-slavery wrath and bitterness. This is now under discussion, and brings up again the whole question of slavery. Mr. Wise, who seems to be one of the most bilious of these fiery gentry (he calls his fellow-representatives fools and blackguards), has poured a great deal of abuse on the English abolitionists, and has done us the honour of venting some portion of his spleen on the *Anti-slavery Reporter*. More especially he has made an assault on our friend Mr. Sturge, whom he calls "an emissary direct from England." His angry notice of this gentleman's letter to American abolitionists, and of the address of the British and Foreign Anti-slavery Committee to the President of the United States, will do more to advertize them, and to excite attention to them, than southern slave-holders will thank him for. We should have been glad if we could have found room for a portion of this discussion. We

press in, however, the following extracts from private letters to Mr. Sturge. The rev. J. Leavitt writes from Washington, on the 28th of January.

The spirit of liberty, I am happy to say, is rising. Henry A. Wise has been entertaining the house with your letter—astonished that a *monarchist* should presume to intermeddle with our elections, or other affairs.

Mr. Adams now has the floor for a full vindication of himself, if the house will allow it. He is charged with contempt, and the charge will either be dismissed and thrown out, or he *will* be heard.

Under date of the 31st of January, Mr. Whittier writes from Amesbury as follows :—

By the papers sent by this packet thou wilt see that we have a good deal of discussion in Congress, in spite of all attempts to shut out the dreaded subject. The *Creole* case, mentioned in my last, has caused much excitement throughout the country, and has called forth some debate in both houses of Congress. The general impression in this section is, that the prisoners at Nassau will not be given up to our government, and that *they ought not to be*. The news of the late treaty on the slave-trade has fallen like a thunder-bolt amidst the slavery party: they scarcely know what to say or do, in reference to it. The *New York Herald* and other prints charge the whole of the abolition movement here to the machinations of England. I send thee the *New York Herald* of last week, containing the debate in Congress on the presentation of a petition from some persons, advising a peaceful dissolution of the union. This was taking the blustering southerners at their word, as they have all along threatened to dissolve the union. Adams stated, in presenting it, that he wished the committee to report against it. Thou wilt see that thy name is pretty freely used in the debate. Lord Morpeth was present during the discussion. The *Reporter* is not yet out, but we are in good spirits: never was there a time when our principles were so powerfully moving the public mind as at the present. The New York Liberty Convention on the 19th numbered from 800 to 1000 delegates. Stanton writes me that it was a glorious meeting. Charles T. Torrey has been tried as an *incendiary* in Maryland, and acquitted on the ground that he had *not* distributed anti-slavery publications in the state. Thou and I narrowly escaped a ten years' sojourn in the Maryland penitentiary, for distributing books, &c., in Baltimore. I should scarcely risk it again."

The agitation existing among the slave-holders in the United States is manifested by their having resort to the new expedient of holding conventions. The first slave-holders' convention was held at Annapolis, in Maryland, on the 12th of January, and a second is convened for the 9th of February. Of the atrocious doings of the former we have given some account elsewhere. The whole effort is convulsive, and indicates a most gratifying state of desperation and weakness.

We draw attention to the following measure of the Mexican government respecting Texas. It is highly important to all who may have entertained the idea of emigration to that country :—

Notice respecting Texas.—It having come to the knowledge of the Mexican government that certain persons are endeavouring to dispose of lands in Texas, this is to give notice that the government of Mexico will not recognise any contract, bargain, or engagement, which foreigners may make with the usurping authorities in Texas; and that all grants of land purporting to be made by the said usurping authorities will be null and void, and parties acting upon the same will do so at their own risk and peril. Mexican Consulate, January 12th, 1842.

Parliamentary Proceedings.

CASE OF THE CREOLE.

HOUSE OF LORDS, FEBRUARY 14.

Lord Brougham had now to bring before their lordships a subject to which he had on the first night of the session called their attention; and he would say but a very few words upon the present occasion, in moving for the copy of any correspondence between the home-government and the governor of the Bahama islands relative to the late seizure of the *Creole* at Nassau. His noble friend the secretary of state for foreign affairs would state whether there was any such correspondence or not; and, if there was any, whether he had any objection to its production, for if he thought that the production was objectionable, he (Lord Brougham) would not press for it. In making the present motion he might say that he had further considered the question in all its bearings, and he had had an opportunity of referring to various authorities which he understood had been cited to raise a doubt on the opposite side; the result of that examination had been only to confirm, if it were possible, the opinion he had given on the first night of the session. It might be perfectly true that, considered in the point of international law alone, it was not the right of a foreign country to demand of us the surrender of a person taking refuge in our territories on account of an offence alleged to be committed within their territories—it might be necessary to consider the right of one nation to require from another the delivery up of fugitives taking refuge within their territories; that was one question—but there was another question to be considered, which was wholly distinct. What right was there, under the municipal law of this country, which allowed criminals taking refuge in this country to be seized upon by the government and detained, still less to be delivered up? Whatever right one nation had against another nation—even by treaty, which would give the strongest right—there was no right by the common law of the nation which would give power under any treaty. If such a treaty existed between any two countries, say between America and this country, and no act of parliament had passed enabling the powers in either country to perform the conditions of the treaty, that treaty would become utterly unavailable for any useful purpose, because the law of the land prevented the possibility of its being executed. Suppose it was clear, and that no doubt existed, that a treaty were in force binding the two parties, and either party had omitted to take power to carry the treaty into execution, the mere existence of the treaty would not enable that power to carry the treaty into effect. That treaty would be a dead letter if the municipal law of that country did not authorise the carrying out of its provisions. It was necessary to say so much, because he thought those who had argued the question had not kept the two questions of national law and of municipal law sufficiently apart. It was necessary that the municipal law should exist, as well as the law of nations. That municipal law did not exist in this country. There was no power by law to seize, still less to detain or to surrender up, any person having committed an offence, however grave that offence might be, within the jurisdiction or limits of any other country; whether he were an alien or not, there was no power to give him up until the legislature of this country should arm the government with a power to do so. He had on the first night of the session referred to two cases, the acts of 1795 and 1803, in both of which laws were passed arming the government with the power of performing their obligations, without which it would have been impossible to have performed those obligations. He had stated that the only doubt in his mind with regard to the case of the *Creole* was, that it had been suggested that a piratical offence had been committed. No doubt the case of piracy was in two particulars different from the general law, where the charge was against aliens for crimes committed beyond the jurisdiction of the country; for whereas in any other case they had no power to arrest or detain, yet in a case of piracy, although the party was an alien, they had power to seize and detain. That was one particular in which a difference existed; but he had no doubt, even in the case of piracy, we had not, and ought not to have, the power to deliver up, because, where the offence was piracy we had not only the power of seizing and detaining the person, but we could send him to his trial; so that here there was no deficient jurisdiction, and no fear that the criminal would go unpunished, whilst, in the case of a murder alleged to have been committed in a foreign country, there was no power of arresting, or of bringing to trial. It was impossible to deny, and he (Lord Brougham) did not deny, that this was a state of law which ought not to continue. He thought it highly expedient—he thought the rights of justice required, and the rights of good neighbourhood required, that in two countries bordering on one another, as the United States and England—in reference to Canada—and even that in England and in the European countries of France, Holland, and Belgium—there ought to be laws on both sides giving power to each government to secure offenders who have committed offences in the territory of one, and taken refuge in the territory of the other. He could hardly imagine how nations could maintain the relationship which ought to exist between one civilized country and another without some such power; at present, however, such a power did not exist in this country; there was no law in this country to justify such a proceeding as seizing and detaining, still less of delivering up, fugitives. This was a point of law of which there was no doubt. He understood that in the year 1822 a law was passed by one of the border states of America, the state of New York, conferring the power in question on the government. About the same time a law was passed in one of our provinces of Canada conferring the same power, and in consequence of those two laws there was a mutual giving up of persons charged with offence. A similar law had been passed in Belgium, but only under certain restrictions, and operating only in cases where certain proceedings had already taken place with respect to persons charged; and, above all, only in cases where there was a reciprocity of jurisprudence between the two countries. It was on these grounds that he had troubled them with observations on the subject, and on these grounds he adhered with more confidence to the opinion he stated on the first night of the session.

The Earl of Aberdeen, in answer to the question of his noble and learned friend, begged to inform the house that communications had taken place between the Governor of the Bahamas and her Majesty's government on the subject. Perhaps his noble and learned friend would not press for the production of those communications in the present stage of the transaction, particularly when he informed the house what the course of her Majesty's government had been on this question. As their lordships might well imagine, her Majesty's government had given the question their most serious and anxious attention, and after taking advantage of all the assistance which they thought desirable on the subject, they had satisfied themselves that by the laws of this country there is no machinery or authority for bringing those persons to trial for mutiny and murder, still less for delivering them up or detaining them in custody [cheers]. His noble friend, the Secretary of State for the Colonial Department, had therefore sent out instructions for releasing those persons who had hitherto been detained. He was not certain whether under any colonial law these persons might be brought to trial. It was possible, as the noble and learned lord had cited the existence of such a law in the Canadas, it might exist. He was not, however, aware of any such law. If such a law did exist, it was probable it would be acted upon; but should there not be such a law, directions had been sent by the government to release the parties [hear, hear].

Lord Denman said, that as his noble and learned friend had brought forward this motion in his absence, he might express his opinion, which indeed he would do with the greatest reluctance if there were the smallest question of the law upon the subject. He believed that all Westminster Hall, including the judicial bench, were of the same opinion as had been expressed by the noble earl; and that, by the law of England, there were no means whatever of delivering up persons accused of crimes committed in foreign countries. As a question of political law, when the Alien Bill had been year by year before the house, the subject had been fully considered by all parties. Sir C. Wetherell, a man not likely to be led away by political considerations, had given the strongest opinion, and had referred to the most convincing examples. He had said, "If aliens are sent out of this country because they are unpopular at foreign courts, the powers of the act were abused. That they should be accused of offence in foreign countries, was no reason for refusing them protection here. The regicides of Louis XVI., if they had sought shelter here, ought not to have been sent away; exiles for crime ought to find an asylum in this country." Nor was this any new doctrine; there was a remarkable passage in the Third Institute of Lord Coke, and one which could not be read without interest:—"It is holden, and so hath been resolved, that kingdoms in league with one another are sanctuaries for servants or subjects flying for safety from one kingdom to another, and upon demand made by them, are not by the laws and liberties of kingdoms to be delivered;" and then, proceeding to quote scripture, he added, "this (some hold) is grounded upon the law in Deuteronomy, 'Non trades servum domino suo qui ad te

confugerit.'" He then went on to mention two cases which occurred about the same time:—"When Queen Elizabeth's ambassador demanded of the French King Morgan and others of her subjects that had committed treason against her, he answered, that if they acted in France, he would proceed against them, adding, 'Omnia regna profugis esse libera, regum interesse ut sui quisque regni libertate tueatur!' and appealing to Elizabeth's own conduct in affording an asylum to the Prince de Condi and other Huguenots who had been in arms against the French crown." Nor were these opinions confined to the lawyers of Europe; the great lawyers of America, who conferred great benefits by their able decisions and their valuable works, held the same doctrine. His noble and learned friend had referred to Chancellor Kemp's Commentaries on the criminal law. He appeared to incline to the opinions of Grotius and Vattel against that of other eminent jurists, that persons accused of crimes ought to be delivered up to the country where they are accused; and one case appears to have been decided by himself when he held his office in conformity with that doctrine. But the peculiar constitution of federal government, comprehending many states with various laws, renders any decision, however respectable, of less authority, till all the particular premises existing when it was made are fully canvassed. But Justice Story, in his more recent edition of the Conflict of Laws (1841), concludes a discussion on this subject by citing the passage from Lord Coke, adding that one chief justice in America has adhered to the same doctrine in a very elaborate judgment, that the reasoning of another chief justice, in a leading case, leads to the same conclusion, and that it stands indirectly confirmed by a majority of the judges of the supreme court of the United States in a very recent case of the deepest interest. It was perfectly clear that the law of England furnished no machinery or process by which a person flying from another country could be taken and detained, still less delivered over. And he would have been prepared to warn the secretary of state, on the authority of the most eminent lawyers, that he could not so act without being liable to the danger of an action for damages for false imprisonment, and the still more awful danger of putting a person upon his trial in a case where the punishment was death (cheers). It was perfectly clear that an alien, seized in this country for a crime alleged to have been committed in a foreign country, might resist with force the party attempting to make the seizure, and if the resistance ended in the loss of his life, the seizing parties might be tried for murder, and, if convicted, might be executed. It was desirable, as his noble and learned friend had declared, that a power should be established by which one country might be enabled to seize criminals for crimes committed in others; but such a right must be founded on the supposition that the laws of all countries were reasonable and just (loud cheers), for no country was entitled to enforce a law which was believed to be founded in injustice. He believed that the states of America had refused to give up a British subject who had committed forgery, because they disapproved of the punishment of death then inflicted in this country for the crime. Till the laws in each country were such as a christian country ought to adopt, they could not be enforced by one another. He could not help expressing his wish that the distinguished persons who were at the head of the jurisprudence of America might be able to bring the law of America into this state; yet he could not but observe that the existence of slavery itself, and still more the existence of the slave-trade, and above all the encouragement to that trade, formed an insuperable difficulty to our government entering into any such treaty, or persuading the legislature to consent to such a law (hear, hear, hear). Any state of the law in such a country might involve a decision upon a question of slavery, and he was sure that the government of England would never give any encouragement, directly or indirectly, to slavery, still less would they act as policemen or gaolers to enforce the rights of the master over the slave; they would rather rejoice that 200 individuals, who had been reduced to a state of slavery, had restored themselves to liberty (cheers). He would suspend all opinion upon the present case till he saw whether the parties were tried for piracy, and what was the evidence; but he must declare that the existence of this most nefarious traffic alone stood in the way of international jurisdiction for offences committed against the laws in either country (hear).

Lord CAMPBELL referred to an opinion imputed to him, which, he assured the house, he had never expressed; on the contrary, from the earliest moment he had studied the subject, he had come but to one conclusion, and to that conclusion he most firmly adhered. By the law of nations no foreign state had a right to make such a demand, and by the municipal law of England there was no power to comply with it if made. He agreed with the Lord Chief Justice, that it might be very convenient to have treaties under which persons accused of murder and other high crimes should be given up, but such a claim could only be made under the provisions of a treaty. A treaty might render it a perfect obligation to surrender foreign criminals, but without a treaty there was no obligation of any kind, perfect or imperfect. Upon this subject, perhaps, the best treatise had been published by Mr. Malin, of Gottingen, who put the question in the clearest point of view. He laid it down, and upon that there could be no doubt, that a sovereign might punish foreigners for offences committed in his territory; but he added, "There is no case in which a sovereign is obliged to send criminals for punishment to their own country, or to the place where the crime was committed—not even if they had been condemned before they made their escape." This, their lordships would perceive, was a very strong opinion; and the same authority added, "To send criminals to be tried in their own country has never been granted, excepting in virtue of a treaty"—"as to crimes committed out of his territory, the sovereign is not bound to punish criminals, nor to execute a sentence pronounced on an offender." His noble and learned friend (Lord Denman) had paid a deserved compliment to the legal authorities of the United States. Mr. Burke was one of the first to do the Americans justice in this respect, and there was no doubt that their treatises on certain branches of the law were superior to our own. One of the ablest of these writers was the present American minister at Berlin, who, in a work he had produced on international law, had laid it down that "no sovereign state is bound, excepting by special contract, to give up subjects of other states for crimes committed in foreign countries; it has, however, been voluntarily practised as a matter of general convenience, and in consequence of treaty." He (Lord Campbell) agreed with his noble and learned friend (Lord Denman), that treaties for this purpose, excluding of course political offences, might be expedient. In order to show the nicety and difficulty of such questions sometimes, he would refer to a case which occurred while he (Lord Campbell) was attorney-general. There existed a treaty between the state of New York and Canada that criminals should be given up, but not run-away slaves. A slave escaped on his master's horse, and took refuge within the Canadian frontiers, leaving the horse behind him within the territory of the United States. At New York the slave was indicted, and a bill found against him for horse-stealing, and on this ground a demand was made for him, which was resisted by the governor of Canada on the ground that the man was a run-away slave, and not a felon; it was true, he had employed his master's horse, but he had left the animal behind him, and had not taken it *animo furendi*. The question was referred to the mother-country, and it came before him (Lord Campbell) as one of the law officers of the crown. He had decided that the governor of Canada was justified in his refusal, since the man claimed was only a run-away slave, and had committed no felony. As to the other question, supposed to arise out of the facts connected with the *Creole*, he supposed that no more would be heard of the claim of compensation for slaves liberated on their arrival in an English port. While slavery existed in any of the territories of Great Britain, the *lex loci* might perhaps prevail; but there was an end of slavery, and a slave was as much free when he arrived in the Bahamas or at Bermuda, as if he had reached Portsmouth or Plymouth (cheers). No wrong having been committed, there must be an end of the notion of compensation. Such was his decided opinion, and he apprehended that the government of the United States would see that it had no ground of complaint whatever against this country.

Lord COTTENHAM entirely concurred with what had been said by his noble and learned friend. He had yet heard nothing to the contrary, and should wait until some adverse arguments were produced before he thought it necessary to trouble the house.

The LORD CHANCELLOR apprehended that he was the only law-lord in the house who had not yet given his opinion. He had been consulted upon the question, as well as the attorney and solicitor-general; and, without pretending to state the terms in which their opinion had been given, he might say that it fully agreed with what had been advanced by noble and learned lords who had already spoken. He did not think that a second opinion could be entertained.

Lord BROUGHAM added, that two other noble and learned friends, Lords Wynford and Abinger, not now present, had authorised him to say that their opinions entirely coincided with those already expressed. After the statement of the noble earl opposite he should not think it necessary to press his motion.

THE WEST INDIA COLONIES.

HOUSE OF COMMONS, FEBRUARY 15.

MR. G. BERKELEY, who was nearly inaudible in the gallery, was understood to ask the noble lord, the secretary for the colonies, whether he was aware, that in some of the West India colonies, the cost of making a hogshead of sugar was really greater than its value in the home market? and also whether he was aware that there at present existed great facilities for the agents of proprietors in the colonies to defraud the owners of estates, by means of false registers of the cost of production? and, lastly, he wished to know whether the government had in contemplation any plan for the importation of labour into the West Indian colonies.

Lord STANLEY, in reply, observed that, as the questions put to him were of very great importance, he could not with propriety answer them simply in the negative or affirmative, but would, with the permission of the house, do so as shortly as possible. He believed that the honourable gentleman's first question applied only to the colonies of Demerara and Berbice, and not to all the West Indian colonies. He was aware of the fact of the enormous expense of cultivating certain estates, in consequence of the competition for labour enhancing the cost of producing sugar. A large body of planters had made general complaints on the subject, and had stated that on some estates—he believed six in number—in consequence of the competition for labour and high wages given, the expense of cultivating was found to have been much greater than the value of the produce. Under such a state of things it was obvious that cultivation could not go on for any time. It was therefore clear that some steps must be taken to prevent competition going on in this way, although he doubted whether the planters proposed to take the best mode of effecting this object. The second question related to the opportunities which dishonest agents might have of defrauding the owners of estates in this country. He did not doubt that absentee proprietors in the West Indies, as anywhere else, could not compete successfully with the resident proprietors, as regarded the superintendence of their property; and of course, with reference to the absentees, it must be much more in the power of the agent to make false returns than it could be to persons residing on the spot. If he might be allowed to offer an opinion on this subject, he would say that, in the present very critical situation—which he did not deny, and which was much to be lamented—of the West Indian colonies, and with the much greater facilities of communication between them and this country which had lately been introduced, it would be highly desirable to induce the personal attention of owners of estates in the West Indies to their property there. He believed that much might be effected by a personal visit, as regarded a saving in the management of their estates in various charges, which it would be difficult for him, or for any one in that house, to form an accurate opinion of or to enumerate, and that it would tend to bring about a great moral change, which he believed was inevitable and desirable, namely, a transfer of trade from the hands of agents to those of resident tenants. That change he believed to be now in progress, and he believed it to be most desirable for proprietors themselves, and for the public generally (hear, hear.) He would venture to say this with respect to the expense of cultivation, that there was no single instance in which this natural consequence had not followed as effect and cause—namely, that where they gave to the negro labourer an interest in the amount of work to be performed, and in the amount of produce raised, there they would obtain constant and industrious labourers; but where they did not give that interest there they would not obtain them. The amount of competition, the consequence of the wages which the planters were willing to give, and the ruinous competition between them for a certain time, had resulted in having a certain portion of work unskilfully performed: this necessarily led to those ruinous expenses to which the West India colonies were now subjected. As to the importation of labour into the colonies, there had

been a very considerable emigration from the colony of Sierra Leone: he believed this had been attended with success, and he believed the whole of the emigration which had taken place, had proved beneficial to all except those from European countries. He was happy in being able to say that her Majesty's ministers had received most satisfactory accounts on the subject; but the honourable gentleman must be aware that great difficulties existed in promoting emigration from the coast of Africa, or from any quarter where her Majesty's government could not clearly see that the act of every person emigrating was voluntary, and that he was entirely free to adopt that course. He would not say whether it might not be advisable and proper to extend the system of emigration to the minor colony on the coast of Africa, he meant the Gambia. He felt, however, that if great caution was not used, great evils would result with regard to the slave trade, and to the labour of a free population. He saw, he repeated, great difficulty in sanctioning emigration from those places, for these settlements might become places of refuge for fugitive slaves, which would create the jealousy of all the powers around; and it would also give rise to an opinion that the emigration was not voluntary but forced, and at all events lead people to imagine that it would encourage the sale of slaves. He believed he gave the best answer in his power to the question of the honourable gentleman on this point, feeling it to be his duty to state distinctly his views, and those of her Majesty's government, on a subject so intimately connected with the office he had the honour fo fill.

UNITED STATES.—THE FIRST SLAVE HOLDERS' CONVENTION.

THIS celebrated assemblage closed its labours on Friday, January 14th. Contrary to the indications of the preliminary meeting, the ultimate conclusions were of the most rabid and diabolical character. The design of the Convention, which was highly distinguished for the amount of talent and respectability of many of its members, was to make a last and desperate effort to bully down the legislature to an entire and slavish subserviency to the slave interest. This must be done now or never, for a new apportionment is to take place in the state next year, and the slave-holding sections have been declining, while the free labour sections have been growing; the slave-holders feel that they now hold their last clutch upon political power, and, unless they can overawe *this* legislature to settle the policy of the state in their favour, they have no hope,

One of their measures for taxing the state treasury, (replenished chiefly from the free labour counties) is to pay large rewards for the detection of any person who induces or aids a slave to run away. Another is, to employ bailiffs to watch the arrival and departure of every steamboat and railroad car. A third is, for the state to pay the expenses of contesting all suits in other states, where the state laws conflict with the act of congress respecting fugitives from service.

The second class of propositions is designed to oppress and drive out the free people of colour. One provision is, that a free black convicted of a crime shall be sold out of the State for a given time, instead of being sent to the penitentiary, and after that shall not be allowed to return within the State. No free negro shall have a gun, sword, or other weapon. They are to be obliged to register themselves every year, and the register to be printed. Also to give security at all times for their good behaviour, or be hired out by the year by a constable. At their death, their land is to be sold, and the proceeds distributed among their heirs, and hereafter no free negro is to be allowed to purchase a freehold or a lease of more than one year. Their children are to be taken from them without any exception, at the age of eight years, and bound out to service to white persons until they are of age, and then to receive a sum of money, males seventy-five dollars, and females twenty-five dollars, and leave the state for ever, with a penalty of being sold if they retrun. A sale or gift of a slave to a free negro is to be void, and the slave is to be sold out of the state, and the master punished.

The last named ought perhaps in strictness to have been arranged in the third class of provisions, those to prevent manumissions, and to aid in degrading the slaves. No future manumission by deed or will is to be allowed. The owner of a runaway slave is to pay a reward for his restoration, graduated by the distance the slave is brought. No manumitted slave with his certificate to remain in the state. No meeting of negros is to be held after sunset. No person to give intoxicating liquor to a slave. A vicious negro who is a slave for years may be sold out of the state.

The fourth class of provisions is against "interference." The having incendiary papers in possession is to be *prima facie* evidence of seditious publication. To persuade, entice, or spirit a slave to run away, or harbour a runaway, is made a penitentiary offence in a white person; a coloured person, slave or free, convicted, is to be sold out of the state, and the finding a slave on the premises of a free negro is *prima facie* evidence of guilt.

Some of these propositions were not carried through without serious opposition. Several gentlemen did themselves honour, in particular by standing up in vindication of the rights and ties of nature against that most fiendish proposition of wresting the guardianship of children from their parents. T. S. Alexander, esq., the gentleman who acted as counsel for Mr. Torrey, expressed sentiments which he will remember with satisfaction in his dying hour. Said he, "There are certain natural feelings and ties *alike* known to the black as the white, and *these we must respect*. Gentlemen have claimed the power to force from our borders the whole free coloured population; but he would warn gentlemen to forego indulging in these principles. He claimed for them the privilege of *choosing for themselves their future homes*. He asked, in behalf of the *better part of this class of people*, those natural rights which we ourselves enjoy. He objected to severing the bonds of natural consanguinity and affinity. The proposition does not, it is true, touch the parent directly, but it wrests from him the dearest object of his affection, and *enslaves* it under the garb of apprenticeship, and then, as though eager for greater inflictions, compels him to quit the state."

These and similar speeches, coming from gentlemen of high social and professional standing in the very heart of the slave-breeding region, show that the spirit of William Pinckney is not quite extinct in the Maryland bar. They will re-assure the wavering representatives from the free labour sections. The arrest and detention of Torrey has gone far to break the charm of imposing greatness and overshadowing power which the convention had assumed to exercise, by showing what a cat-hearted set they were with all their pretensions, when the presence of a little man like Torrey could throw them into such a convulsive panic. The politicians will be slow to press a set of measures which, if successful, will deprive them of one member in the federal congress, now sitting in fact as the representative of the free negros, and, if unsuccessful, will tend only to embitter those whose growing numbers and social importance indicate rather the importance of securing their good will and gratitude. We believe the convention is a failure, and that it will hasten the day of emancipation in Maryland.

UNITED STATES: BABY STEALING.—We mean by this the legal seizure of infants which the statute book of the chivalrous southern sanctions. We mean that dastardly act, which betrays a lack of courage to cross the Atlantic and capture the *man*, and make *him* a slave. That act in which, under legislative sanction, and skulking behind a pile of law-books, the master dares stealthily to enter the bed-room of the mother, and seize upon the helpless infant as his victim. The infant a span long is counted as goods and merchandize by the master—as a chattel personal.

Suppose the slave population to be 2½ millions; the annual deaths under mild treatment would be 1 to 30, or an aggregate of 83,333 in a year. Notwithstanding this number die, there would be an annual increase of 3 per cent., making an aggregate of 75,000.

The number born in a year must of course be equal to these two numbers combined: showing an aggregate of 158,333 free born children, under our republican government, annually plundered of all those rights which were conferred upon them by their Creator, and reduced to the most abject slavery—equal to 433 every 24 hours.

433! Enough to furnish a large ship-load from Africa every day in the year, Sundays not excepted. 433 per day—14 per hour—more than one every five minutes!!

Now fancy yourself upon an elevation where you could view at a glance the whole south. Your eye shall witness an act of baby stealing *once in every two minutes* during the hour of daylight, the year round!—*Friend of Man.*

TURKISH SLAVE-TRADE.—Extract of a private letter, dated TRIPOLI, 30th December, 1841:—"The *price* of slaves has increased very much, owing to the great demand for them, and the facility the Turks have in transporting them in their vessels returning without cargo. In my humble opinion, nothing effectually can be done in the glorious cause till a commercial communication is opened with the interior, and when the natives can traffic with safety both to life and property. Gold-dust, ivory, ostrich feathers, gum, senna, indigo, &c., are the produce of the interior; and surely the great quantity and value of such articles is worth consideration, but without an outlet they become of no value. Probably you are not aware that European produce has a profit in the interior of 300 or 400 per cent., and that arises from the danger, the difficulty, and the great impositions on the coast. I am certain the great sheiks of the interior will not object to the abolition, and to promote commerce and civilization; but, as the Turks are so hostile to any improvement, excepting in the *war mania* against their own subjects, nothing will ever be done, as the *commercial convention* and the *Hatti Sheriff* are thoroughly disregarded. In short, this poor devoted country is the scene of devastation, cruelty, and injustice, which it makes the heart bleed to witness. I shall be happy to give you any information on the state and the mode for bettering the condition of our suffering fellow-creatures. The *public press* cannot be better employed, and by perseverance in the godlike cause will, in the end, work wonders. What can give us more national pride than the noble and disinterested conduct of England towards the poor, the naked, the suffering, the untutored black slave?—*A Turkish schooner is now in the port destined for Smyrna with a large cargo of slaves.*"

CUBA.—"I am sorry to efface the favourable opinion which we in the United States entertained of the present captain-general, Valdez, that he had refused the money of the slave-traders. His virtue remained bribe-proof only two months. He now follows in the footsteps of his illustrious predecessor, in filling his coffers with the price of human blood. You are aware that the British consul, Mr. Turnbull, has demanded of the captain-general the liberation of the emancipados of this island, whose condition is more deplorable than that of the slaves. The number is probably about 5000. So vigorously and perseveringly has Mr. Turnbull pursued this object, in spite of shifts, evasions, and denials, that he had the triumphant satisfaction, on the 14th instant, of receiving from the hands of captain-general Valdez the freedom of a woman, Matilda, who has been held in this unrighteous bondage for thirteen years. This is very important, as being the first-fruits of what we hope will soon be a full harvest, the freedom of all the emancipados."—*Correspondent of the New York Emancipator.*

SIR CHARLES METCALFE'S SUCCESSOR IN THE GOVERNMENT OF JAMAICA.—Lord Elgin is only known as a thorough-going partizan, who, having crippled his resources in electioneering contests, has become the possessor of a title, without the funds necessary to maintain his newly-acquired position. His appointment is rather in the nature of a splendid exile, during which he may recruit his exhausted coffers, than as a careful selection of a talented and experienced individual, on whose wisdom the several interests in the colony may rely for a course of policy adapted to its peculiar condition.—*Globe.*

TREATY FOR THE SUPPRESSION OF THE SLAVE-TRADE.—Lord Aberdeen exchanged yesterday, with the ministers of Austria, Russia, and Prussia the ratifications by their respective courts of the treaty of London of the 20th December, 1841, with a view to the suppression of the African slave-trade. The French Ambassador was present at Downing-street when these ratifications were exchanged, but his Excellency had not received the ratification by his court.—*Morning Post.* It was agreed that it should be left open for the French Ambassador to exchange ratifications with the other powers at a future time.—*Times.*

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